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Establishment of a nuclear-weapon-free zone in the region of the Middle East

The risk of nuclear proliferation in the Middle East

Establishment of a nuclear-weapon-free zone in the region of the Middle East

Report of the Secretary-General**

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* A/59/150.
** For the report of the Secretary-General on item 69, see A/59/165 (Part II).

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I. Introduction

1. In paragraph 10 of its resolution 58/34 of 8 December 2003, the General Assembly requested the Secretary-General to continue to pursue consultations with the States of the region of the Middle East and other concerned States, in accordance with paragraph 7 of resolution 46/30 of 6 December 1991 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to his report of 10 October 1990 (A/45/435) or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the Middle East. In paragraph 11 of the same resolution, the Assembly also requested the Secretary-General to submit to it at its fifty-ninth session a report on the implementation of the resolution. The present report is submitted pursuant to that request.

2. On 27 February 2004, a note verbale was sent to all Member States drawing their attention to paragraph 10 of resolution 58/34 and seeking their views on the matter. Replies have been received from China, Guatemala, Ireland (on behalf of the Member States that are members of the European Union), Israel, Lebanon, Mexico, Oman, the Syrian Arab Republic and Venezuela, the text of which is reproduced in section III below. Any additional replies from Member States will be issued as addenda to the present report.

II. Observations

3. The issue of the establishment of a nuclear-weapon-free zone in the region of the Middle East remains of considerable importance. The Secretary-General notes that at the third session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held from 26 April to 7 May 2004, many States parties reiterated their support for the establishment of a Middle East zone free of nuclear weapons as well as other weapons of mass destruction. They reaffirmed the importance of the implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference, and also recognized that the resolution remained valid until its goals and objectives were achieved.

4. The Secretary-General has on several occasions carried out various consultations with concerned parties within and outside the region in order to explore further ways and means of promoting the establishment of a nuclear-weapon-free zone in the Middle East. The Secretary-General is carefully observing the impact of the recent developments in the region that may affect the realization of a nuclear-weapon-free zone in the Middle East. The Secretary-General believes that continued efforts to achieve a just, lasting and comprehensive peace are needed and welcomes recent attempts to give new impetus to the road map developed by the Quartet of the European Union, the Russian Federation, the United States of America and the United Nations. The Secretary-General calls upon all concerned parties within and outside the region to resume dialogue with a view to creating stable security conditions and an eventual settlement that would facilitate the process of establishing a zone free of nuclear weapons in the Middle East. The Secretary-General reiterates the continued readiness of the United Nations to provide any assistance deemed helpful in that regard.

III. Replies received from Governments

China

[Original: Chinese/English]
[24 May 2004]

Since it came into possession of nuclear weapons, China has undertaken unconditionally not to be the first to use nuclear weapons and not to use or threaten to use nuclear weapons against non-nuclear-weapon States and nuclear-weapon-free zones.

China has always held the view that the establishment of nuclear-weapon-free zones is conducive to preventing nuclear weapons proliferation and enhancing regional and world peace and security. China has signed and ratified all relevant protocols to the nuclear-weapon-free zone treaties that are open to signature and undertaken corresponding obligations.

The Chinese Government has all along actively supported the establishment of a nuclear-weapon-free zone in the Middle East, believing it would be conducive to promoting regional peace. We appreciate the efforts made by the relevant countries and the Secretary-General of the United Nations in this regard, and wish to see early realization of this objective by countries in the region on the basis of voluntary agreement. China stands ready to work with parties concerned towards this end.

Guatemala

[Original: Spanish]
[8 June 2004]

I have the honour to refer to your note of 24 March 2004. In accordance with the information received, I wish to bring to your attention that, in military terms, Guatemala does not consider that it has any influence on the establishment of a nuclear-weapon-free zone in the Middle East. However, it favours such action in order to contribute to the maintenance of peace in the world.

Ireland (on behalf of the Member States that are members of the European Union)

[Original: English]
[25 June 2004]

1. As in previous years, at the fifty-eighth session of the General Assembly the States members of the European Union aligned themselves with the consensus on General Assembly resolution 58/34 entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

2. The States members of the European Union hereby wish to provide the following common reply to paragraph 10 of the resolution, in which the Assembly requested the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of

resolution 46/30 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to his report of 10 October 1990 (A/45/435) or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the Middle East.

3. The European Union recalls that consensus has been reached by the General Assembly since its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance international peace and security.

4. The European Union also recalls the guidelines on the establishment of nuclear-weapon-free zones, adopted by the Disarmament Conference at its 1999 session, stipulating that nuclear-weapon-free zones should be based on arrangements freely arrived at by the States of the region.

5. In addition, the European Union takes note of Security Council resolution 687 (1991) recalling the goal of establishing the Middle East as a zone free from weapons of mass destruction and all missiles for their delivery.

6. The European Union also takes into consideration the Secretary-General's report of 10 October 1990 (A/49/435), which in its conclusions indicates that the nuclear threat can be effectively and permanently eliminated only if a pattern of sound regional security relationships is developed.

7. The European Union is cognizant of the importance of confidence-building measures, such as nuclear-weapon-free zones. The establishment of such a zone, as well as of a zone free from weapons of mass destruction, would reflect the willingness of the States in the region to promote peace and stability in the Middle East. This undertaking, however, remains first and foremost the responsibility of these States.

8. The European Union remains committed to the full implementation of the resolutions on the Middle East adopted by the United Nations Security Council and the 1995 Nuclear Non-Proliferation Treaty Review and Extension Conference as well as through decisions reached at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. We call upon all States in the region that have not yet done so to accede to the biological and chemical weapons conventions and to the Treaty on the Non-Proliferation of Nuclear Weapons. The European Union calls upon the States of the region to establish an effectively verifiable zone free of nuclear weapons, as well as of other weapons of mass destruction and their means of delivery. We believe that the accession of all States in the area to the International Atomic Energy Agency (IAEA) Comprehensive Safeguards Agreements and the Additional Protocol should be a priority for the international community as a whole and would represent a crucial contribution to an overall improvement in security and confidence in the Middle East. Israel's accession to the Treaty on the Non-Proliferation of Nuclear Weapons, and the placement of all its nuclear facilities under the comprehensive safeguards of IAEA, is of great importance to the European Union as it would contribute to the peace and stability of the region and the prospects of an eventual settlement in the Middle East.

9. Therefore the European Union urges the States of the region to make every effort in order to develop peaceful and friendly relations, which would greatly contribute to a secure and stable environment for all of them. This in turn would

render possible the establishment of a zone free from all weapons of mass destruction and their means of delivery in the Middle East.

Israel

[Original: English]
[29 April 2004]

Israel has always maintained that in the Middle East, nuclear issues as well as all regional security issues, both conventional and non-conventional, should be dealt with in the full context of the peace process. It is in this framework that Israel supports the eventual establishment of the Middle East as a mutually verifiable nuclear-weapon-free zone that would also be free of chemical and biological weapons as well as ballistic missiles.

United Nations General Assembly resolution 58/34, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East", does not adequately reflect Israel's position vis-à-vis the nuclear issue in the Middle East. In fact, Israel has substantive and significant reservations regarding certain elements of the resolution.

Notwithstanding these reservations, for over 20 years Israel has chosen to join the consensus and has made extensive efforts to preserve the language and prevent unilateral changes. Israel has acted this way out of its belief that instead of highlighting different positions, there is a fundamental need for building confidence and creating a common vision for all the States of the Middle East.

The promotion of this vision must take into account the particular circumstances of the Middle East. Some of them are closely related to the particular characteristics of the region, and others emanate from recent changes in the international scene. In spite of several positive developments in the realm of non-proliferation in the region, there are still countries that continue to acquire and develop weapons of mass destruction and their means of delivery, deny Israel's right to exist, and continue to pursue aggressively hostile practices towards Israel. Moreover, in this region, membership in global conventions does not necessarily provide adequate assurances in view of the record of non-compliance with international obligations by certain States in the region. The case of Iraq and the widely shared concerns over Iran, especially after the recent revelations regarding its nuclear activities, exemplify this reality. This environment of growing threats has a critical impact on the region's ability to move towards the establishment of a zone free of all weapons of mass destruction and ballistic missiles. The danger of these regional realities has grown with the revelations of a black market and proliferation of networks through which equipment, technology and nuclear know-how are being transferred. We are no longer facing just a small group of rough States, but also non-state actors.

Accordingly, there is an urgent need to intensify efforts to halt the proliferation of weapons of mass destruction and ballistic missiles, as well as nuclear fuel cycle technologies, to countries of concern in the Middle East. Those coun ies not only are engaged in extensive proliferation activities but also are involved supporting terrorism. There is an urgent necessity for a range of international, egional and

national efforts to promote a variety of measures, inter alia, more stringent controls on sensitive exports to those countries.

This disturbing reality in the Middle East mandates a practical step-by-step approach, bearing in mind the ultimate goal of achieving peaceful relations and reconciliation between all the States in the region. This process, as has been demonstrated by the experience of other regions such as Latin America, is inherently an incremental one. It can only realistically begin with modest arrangements for confidence-building measures in order to build the necessary trust for more ambitious cooperative security undertakings.

Effective arms control measures can only be achieved and sustained in a region where wars, armed conflicts, terror, political hostility and incitement are not features of everyday life.

In recent years, Israel has sought to lay the foundations of peace in our region based on an historic reconciliation, embodying the notions of compromise, mutual trust and respect, open borders and good-neighbourliness. The basis for coexistence between Israel and its neighbours was laid in bilateral peace treaties with Egypt and Jordan and we still hope to widen this process to encompass the Palestinians, Lebanon and Syria.

In addition, after the Madrid Conference of 1991, Israel made a substantial effort to contribute to the success of the arms control and regional security talks in the framework of the multilateral negotiations of the peace process. The Arms Control and Regional Security talks were the appropriate forum to promote confidence and to address regional security issues and challenges. These talks were, unfortunately, discontinued by another State in the region, instead of becoming an important channel for regional dialogue.

Despite this lack of progress at the regional level, Israel attempted during the last decade to become more involved in the normative framework of international arms control efforts that do not impair our vital margins of security. These efforts constitute an important component in the overall effort to improve the regional security climate. It was in this spirit that Israel signed the Chemical Weapons Convention in 1993, the Comprehensive Nuclear-Test-Ban Treaty in 1996, and the Convention on Certain Conventional Weapons in 1995.

In addition, Israel has recently adopted legislation of an Export and Import Order (Control over chemical, biological and nuclear exports). This Order prohibits the export of materials and items designated for weapons of mass destruction programmes, and has established regulations for the control of items in the nuclear, chemical and biological domain, based on the lists established by the Australia Group and the Nuclear Supplies Group. By adopting this Order, Israel is implementing its policy of adherence to these export control regimes. This act supplements Israel's export control legislation on missiles and related material as an adherent to the Missile Technology Control Regime (MTCR).

Israel also participates in the United Nations Register of Conventional Arms. Israel has constructively engaged in the efforts of the United Nations and in other forums to prevent the proliferation of ballistic missiles and other related technology. We also attach importance to the global attempt, including in the United Nations deliberations on how to combat and eradicate illicit trafficking in small arms and light weapons, and hope that the implementation of the United Nations Programme

of Action adopted in July 2001 will contribute to the global fight against terror and will reduce tensions in different regions, including the Middle East.

As the international community has recognized, the establishment of a nuclear-weapon-free zone should be based on arrangements freely arrived at among all the States of the region concerned. Such a zone can only be established through direct negotiations between the States of the region, after they recognize each other and have established full peaceful and diplomatic relations. It cannot be established other than by the parties themselves, nor can it be established in a situation where some of the States maintain an active state of war with Israel, refuse in principle to maintain peaceful relations with Israel, or even recognize its right to exist.

We believe that one-sided and unbalanced resolutions, aimed at isolating and alienating Israel, such as the resolution on the risk of nuclear proliferation in the Middle East, do not contribute to the establishment of a nuclear-weapon-free zone. Moreover, they undermine the confidence and climate of cooperation that are an essential basis for achieving that end, ignoring the complex reality of the region.

Countries, particularly in the Middle East, should realize that these resolutions cannot be a substitute for the need to conduct direct negotiations, build confidence, reduce the threats and establish stable peaceful relations in the region, all of which are essential milestones on the way to a nuclear-weapon-free zone.

Over the years, Israel has consistently pursued the policy described above. We regard this policy to be as valid today as it has ever been over the last decade. It provides sound guidance for regional security, based on foundations of stability and peace.

Lebanon

[Original: Arabic]
[26 May 2004]

The Lebanese State welcomes all initiatives aimed at achieving general and complete disarmament, especially in the Middle East region, and emphasizes the importance of the role of the United Nations in that area. Lebanon, which neither produces nor possesses weapons of mass destruction, emphasizes that the Middle East must become a nuclear-weapon-free zone, yet it is apprehensive over Israel's non-compliance with international legitimacy, owing to its maintenance of a nuclear arsenal that constitutes a permanent threat to the countries of the region and consequently to international peace and security.

Mexico

[Original: Spanish]
[12 May 2004]

Mexico supports the establishment of a nuclear-weapon-free zone in the Middle East region as a way of contributing not just to the strengthening of the global disarmament and nuclear non-proliferation regimes but also to the elimination of all weapons of mass destruction in the region and the establishment of a comprehensive, stable and lasting peace in the Middle East.

Mexico has therefore supported the resolutions on this topic adopted by the United Nations General Assembly, the General Conference of the International Atomic Energy Agency (IAEA) and as part of the review process for the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

In the Final Document of the Sixth Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons of 2000, States, particularly those of the Middle East, were invited to take practical steps towards the establishment of a nuclear-weapon-free zone in the Middle East. Article VII, paragraph 16 (1), of that Document recognizes the validity of the resolution on the Middle East adopted in 1995, until its goals and objectives are achieved.

In this context, during the third session of the Preparatory Committee for the 2005 Review Conference of the Parties to the NPT, held in New York from 26 April to 7 May 2004, Mexico reaffirmed that the establishment of nuclear-weapon-free zones enhanced global and regional peace and security, strengthened the nuclear non-proliferation regime and contributed to the objective of nuclear disarmament, and urged the international community to establish nuclear-weapon-free zones in Central Asia, South Asia and the Middle East.

Mexico is fully convinced that a nuclear-weapon-free zone should be established in accordance with the agreements freely entered into among the States of the region, which would also strengthen already existing zones. It recognizes that progress in the establishment of a nuclear-weapon-free zone in the Middle East depends on the peace process in the region and has a direct impact on that process.

Mexico also considers that the establishment of a nuclear-weapon-free zone in the Middle East, a region characterized by severe tensions, depends in large part on the commitment and political will of the States of the region and of the States that participate in the global nuclear disarmament and non-proliferation regime, and particularly in the signing, ratification and full implementation of the NPT, including the conclusion of IAEA safeguards agreements. The signing and ratification of the Additional Protocol to the IAEA safeguards would also help to guarantee the implementation of comprehensive safeguards of nuclear materials, facilities and activities in the zone, as well as to promote confidence-building that would in turn lead to further agreements.

With regard to the measures outlined in chapters III and IV of the study on effective and verifiable measures which would facilitate the establishment of a nuclear-weapon-free zone in the Middle East, mentioned in paragraph 10 of resolution 58/34, Mexico considers that the adoption of confidence-building measures, transparency, methods of verification and security guarantees are positive steps that should be agreed upon by the individual States of the region in order to make steady and systematic progress towards the establishment of a nuclear-weapon-free zone in the region.

Mexico reiterates that dialogue and negotiation are and will continue to be irreplaceable as a means of settling international disputes. It is therefore necessary to create the conditions for an exchange of views among interested States aimed at finding formulas for the settlement of disputes. Each of the States of the Middle East has a responsibility to contribute to the establishment of a new regional order that promotes peaceful coexistence in the region and on which the objective possibilities of development and prosperity in the region will depend.

Oman

[Original: Arabic]
[24 May 2004]

It is the view of the Sultanate of Oman that accession by States to the treaties and conventions on disarmament and compliance with them will enhance and help to maintain both regional and international peace and security. For this reason, Oman calls for the adoption of practical steps towards making the region of the Middle East a zone free of all types of weapons of mass destruction. It accordingly calls on all the States of the region to accede to the relevant treaties and conventions, chief among them the Treaty on the Non-Proliferation of Nuclear Weapons, and to submit their nuclear installations to monitoring in accordance with the safeguards regime of the International Atomic Energy Agency (IAEA). Such action will contribute to the creation of a positive climate favourable to cooperation among States in the field of development of nuclear energy and the use of nuclear energy for peaceful purposes, both within the region and between the States of the region and other States. In addition, it will help to bring an end to the arms race in the region, promote confidence and improve relations among the countries of the region and avert the danger of the use or threat of use of nuclear weapons.

Syrian Arab Republic

[Original: Arabic]
[15 March 2004]

The Syrian Arab Republic has affirmed in all international forums that it is firmly intent on the establishment of a nuclear-weapon-free zone in the Middle East. On 29 December 2003, acting out of a sense of responsibility as a non-permanent member of the Security Council, it called on the Security Council to hold consultations on the Syrian initiative aimed at establishing a zone free of all weapons of mass destruction in the Middle East. It also called on all friendly and peace-loving States to support that initiative in order to attain the objective frequently sought by Syria since it signed the Treaty on the Non-Proliferation of Nuclear Weapons in 1968 and the Comprehensive Safeguards Agreement with the International Atomic Energy Agency (IAEA) in 1992.

We are convinced that the possession of such destructive weapons by any State in the Middle East will constitute a threat to the region and be regarded as a source of great concern, not only for the peoples of the region but also for every country in the world. Syria has therefore reiterated its request for consultations on its previous initiative of April 2003, which is still "in blue" before the Security Council.

Through that initiative, Syria elaborates a mechanism to address the concerns arising from the current situation in the region with a view to making it free of all weapons of mass destruction, in particular nuclear weapons, and promoting a just and comprehensive peace based on the resolutions of international legitimacy. It also calls for pressure on Israel to force it to acquiesce to the wishes of the international community, implement the relevant United Nations resolutions, put an end to its colonialist ambitions exemplified by its occupation of the territories of three States, namely Syria, Palestine and Lebanon, and stop the development of its nuclear arsenal. These are all Arab, regional and international demands and are key

to the credibility and universality of the Treaty on the Non-Proliferation of Nuclear Weapons and to the principle of justice in which the policy of double standards is eschewed.

The Government of the Syrian Arab Republic believes that the following measures and arrangements should be adopted in order to establish a nuclear-weapon-free zone in the Middle East, as called for in United Nations resolutions:

Israel, the only State in the region which possesses nuclear facilities and a nuclear stockpile, must accede to the Treaty on the Non-Proliferation of Nuclear Weapons. All of its nuclear facilities must also be placed under the IAEA safeguards regime and its nuclear stockpile must be eliminated. Furthermore, it must comply with Security Council resolution 487 (1981), which explicitly calls upon Israel urgently to place its nuclear facilities under IAEA safeguards.

The Government of the Syrian Arab Republic believes that the United Nations is the appropriate framework for serious discussions that provide room for all concerned States in the Middle East to work together for the establishment of a nuclear-weapon-free zone in the Middle East. The General Assembly has persistently affirmed the commitment of the international community to the establishment of such a zone through the annual adoption of its resolution on the establishment of a nuclear-weapon-free zone in the Middle East, most recently resolution 58/34 of 2004.

Venezuela

[Original: Spanish]
[19 May 2004]

The Government of the Bolivarian Republic of Venezuela considers that the promotion and strengthening of a nuclear-weapon-free zone in the Middle East would make a significant contribution to the strengthening of the peace process in the region. The accession of all the States of the region to the Nuclear Non-Proliferation Treaty could create a favourable atmosphere of confidence that would facilitate progress in the peace negotiations while strengthening the United Nations disarmament regime. Venezuela supports the efforts of the Secretary-General of the United Nations to promote the establishment of a nuclear-weapon-free zone in the region of the Middle East, and is convinced that the achievement of this objective would have positive effects on international peace and security.

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Corrigendum

Page 10, third paragraph, last line

For resolution 58/34 of 2004 *read* resolution 58/34 of 2003

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* A/59/150.

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